

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOHNATHAN D. WISHNESKI,

Plaintiff,

v.

No. 12-cv-00540-JCH-CG

DR. JOSE ANDRADE,

Defendants.

ORDER

THIS MATTER comes before the Court *sua sponte*. On January 4, 2013, Defendant Jose Andrade filed a *Martinez Report*, as ordered by this Court in its *Order for Martinez Report*, entered on December 4, 2012, (Doc. 36). On December 21, 2012, Defendant filed his *Motion to Compel Medical Authorizations and Extend the Martinez Report Deadline* ("Motion to Compel"). (Doc. 42). Plaintiff filed a response, *Plaintiffs [sic] Response to Defendants [sic] Motion to Compel*, on January 2, 2013, (Doc. 42), opposing Defendant's Motion to Compel. Defendant has not yet filed a reply in support of his Motion to Compel, and because the time to do so has not yet passed, this motion has not been fully briefed and, therefore, not ready for the Court to make a ruling.

In order to ensure that this case proceeds as justice and efficiency require, the Court will make a ruling on the Motion to Compel when it has been fully briefed. At that time, the Court will also provide a new schedule with deadlines for filing a supplemental *Martinez Report* (if necessary), Plaintiff's response to the *Martinez Report*, and Defendant's Reply. Pending resolution of Defendant's Motion to Compel and the issuance of a new schedule for filings related to the *Martinez Report*, Plaintiff does not need to respond to the *Martinez*

Report that has been filed by January 25, 2013, as originally set out in the Court's *Order for Martinez Report*. (Doc. 36).

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal line extending to the right.

THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE